



# COMMONWEALTH of VIRGINIA

*Office of the Attorney General*

**Mark R. Herring**  
Attorney General

202 North 9th Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

## MEMORANDUM

**TO:** James A. Rothrock  
Commissioner  
Virginia Department for Aging and Rehabilitative Services

**FROM:** Pamela B. Beckner  
Assistant Attorney General

**DATE:** September 14, 2017

**SUBJECT:** *Order of Selection for Services*  
22 VAC 30-20-90

I have reviewed the proposed amendments to the regulations entitled *Order of Selection for Services*, 22 VAC 30-20-90, which were promulgated by the Commissioner. The proposed amendments do not conflict with existing federal or state statutes or regulations.

The Commissioner has the statutory authority to promulgate these regulations under Virginia Code § 51.5-131. Emergency regulations reducing the number of the priority categories from four to three for persons determined to be eligible for DARS' services have been in effect since January 17, 2017. Those emergency regulations will expire on October 17, 2018. This regulatory action seeks to make those changes permanent.